

Exhibit D
BDC 4.6.300 and Bend Area General Plan Preface

Bend Development Code (BDC)
4.6.300 Quasi-Judicial Amendments.

- A. Applicability, Procedure and Authority. Quasi-judicial amendments generally refer to a plan amendment or zone change affecting a single or limited group of properties and that involves the application of existing policy to a specific factual setting. Quasi-judicial amendments shall follow the Type III procedure, as governed by BDC Chapter 4.1, Development Review and Procedures, using the standards of approval in subsection (B) of this section, Criteria for Quasi-Judicial Amendments. Based on the applicant's ability to satisfy the approval criteria, the applicant may be approved, approved with conditions, or denied.*
- B. Criteria for Quasi-Judicial Amendments. The applicant shall submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:*
- 1. Approval of the request is consistent with the relevant Statewide Planning Goals that are designated by the Planning Director or designee;*
 - 2. Approval of the request is consistent with the relevant policies of the Comprehensive Plan that are designated by the Planning Director or designee;*
 - 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property; and*
 - 4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Land Use District Map regarding the property that is the subject of the application; and the provisions of BDC 4.6.600, Transportation Planning Rule Compliance.*

Bend Area General Plan

Preface

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CITY COUNCIL / BOARD OF COUNTY COMMISSIONERS
ADOPTED DRAFT
NOVEMBER 1998



BEND AREA GENERAL PLAN

INTRODUCTION

Bend is located at the base of the Cascade Mountains at an elevation of 3,600 feet. Its proximity to the Deschutes National Forest, the high mountain lakes, and to the Great Basin plateau makes it a hub for recreation, sporting, and tourist activities.

With a mid-1990s population of about 39,700, Bend is the largest urban area in Oregon east of the Cascade Mountains. By the year 2020, the urban area population is expected to reach 68,700 persons, with another 10,000 persons within three miles of the urban area.

Bend is the regional trade and service center for Central Oregon. More than two-thirds of all the jobs in the county are in Bend. The wide range of retail businesses, professional and trade services, and specialty trades draws in customers from a five county area.

PURPOSE OF THE GENERAL PLAN

The Bend Area General Plan is a guide for making wise land use decisions regarding future development within the Urban Growth Boundary and the Urban Reserve area. Chapter 1, Plan Management and Citizen Involvement, provides more information on the Urban Growth Boundary and Urban Reserve area.

The Plan's goals and policies provide a framework for decisions that are consistent with the physical characteristics, goals, and resources of the community. The basic aim of the General Plan is to organize and coordinate complex inter-relationships between people, land, resources, and facilities to meet the future needs of the citizens and to protect the livability of the community.

The General Plan:

Uses goals and policies to coordinate and balance the development of various elements in the community.

Sets the direction for future economic and residential growth.

Guides public investment in parks, schools, water, and sewer, and other facilities.

Protects and preserves natural features that create the distinct beauty of Bend.



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The General Plan is intended for use by local officials, persons with development interests, neighborhood groups, state and federal agencies, and citizens of the community. The Plan provides interesting and factual information about the community's natural features, housing, economic conditions, and other topics.

With the rapid population and economic growth of Bend during the 1990s, the community is significantly different from the quiet lumber and agricultural town of the 1950s and 1960s. Similarly, the future look and feel of the community ten or twenty years into the next century will be different from the 1990s. As Bend continues to become more urban in its character, the impact and influence of change will be with us constantly. The Bend Area General Plan is a tool to prescribe how and where change should happen.

DEVELOPMENT OF THE PLAN

The first long range, comprehensive plan for the urban area, officially known as the Bend Area General Plan, was prepared in 1974, and approved by the Oregon Land Conservation and Development Commission in 1981. A state mandated "periodic review" of the Plan was conducted in 1989 to bring it into conformance with new state laws and rules. Aside from the periodic review additions and a few other changes, most of the General Plan remained unchanged until the late 1990s.

In early 1994 the City Council and Board of County Commissioners agreed to undertake a major update of the General Plan, and this update was completed in 1998. The need to update the General Plan in the 1990s was driven by several factors:

- The rapid population growth the community was experiencing;
- New city water and sewer system master plans;
- Several proposed big private or public projects that needed to be tied into the broader community planning;
- New public uses at the edge of the urban area;
- New planning requirements imposed by the state legislature and state agencies;
- Information in the Plan that needed to be updated or deleted; and
- New, important issues to the community that needed to be addressed in the Plan.

The City Council and Board of County Commissioners appointed a 20 person advisory committee, representing a broad cross-section of the community, to guide the update of the Plan. This committee spent 2 ½ years and more than 1,100 person-hours, updating and revising the General Plan. The advisory committee prepared an overall vision statement, repeated below, that guided their review of the Plan.



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Bend is a community valuing its natural features of trees, rocks, river, sounds, views and a diverse citizenry that works together creating a healthy legacy and vision for Bend's future livability. The Bend Comprehensive Plan is designed to preserve and enhance this vision for our community.

The city and county also used a variety of activities to provide opportunities for citizens to learn about, and participate in, the update of the General Plans. The major activities were:

Community wide workshops in 1995, coordinated with the local school district and parks district, to discuss planning ideas and gather comments;

Four community Open Houses in 1997, again coordinated with the school and parks district, to provide information on proposed changes to the General Plan;

Informational flyers, surveys, newspaper articles and other media events in the summer of 1997 to provide information on the updated General Plan;

A survey of more than 210 households regarding their opinions on the urban area transportation system;

Workshops on both general and specific transportation issues;

A series of neighborhood planning workshops hosted by Deschutes County and supported by state grants for two areas that will undergo urban redevelopment;

Numerous presentations to service groups, organizations, and neighborhoods; and

Several public hearings on the General Plan in 1997 and 1998.

A 20-year Plan

The General Plan uses a 20+ year planning period that ends in the year 2020. This time frame was used in order to satisfy state requirements for evaluating the 20-year need for some land uses, and because it is about the outside limit for reasonable planning forecasts.

The General Plan is not a “saturation plan” that describes conditions under a full or ultimate development of lands within the urban area. Rather, it forecasts the level of population and economic growth to the year 2020 and plans for this growth along with other community needs and desires during the planning period. The General Plan establishes land use categories to meet the forecasted needs and maps where these uses shall occur. The zoning for land within the urban planning area must be consistent with the designated land use categories in the General Plan.



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However, some lands near the edge of the urban area that are without full urban services may have an interim, less intense zoning classification applied to them until full urban services are available to the area.

Format of the Plan

The General Plan is divided into this Preface and ten chapters. Each chapter covers a general topic, and most chapters include historic data and forecasts of conditions during the 20-year planning horizon. Background documents or analysis used in the preparation of a chapter are typically not included in the chapter, but cited as a reference. Background documents are available for review at the City of Bend Development Services Department.

At the end of each chapter are policies that address issues discussed in the chapter. The policies in the General Plan are statements of public policy, and are used to evaluate any proposed changes to the General Plan. Often these statements are expressed in mandatory fashion using the word “shall”. These statements of policy shall be interpreted to recognize that the actual implementation of the policies will be accomplished by land use regulations such as the city’s zoning ordinance, subdivision ordinance and the like. The realization of these policies is subject to the practical constraints of the city such as availability of funds and compliance of all applicable federal and state laws, rules and regulations, and constitutional limitations.

The General Plan policies provide a basis for coordinated action by enabling various public and private interests to undertake specific projects with a consistent understanding of community

The General Plan is a package of goals, text, exhibits, policies, and illustrative maps.

Local zoning and subdivision codes, and other development codes, implement the General Plan.

expectations. Public facilities such as schools, parks, streets, water and sewer systems, civic areas, libraries, and fire stations can be planned in advance of need. A program for land acquisition and construction also can be prepared in advance of need so that the services will be available when and where they are needed. Similarly, special service districts and private utilities can anticipate future service demands and plan facilities so that development can take place in the most economical and timely manner.



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These same community policies serve individual property owners and private interest groups as a means of evaluating their individual decisions in light of community objectives. They are able to determine how their individual interests can best be served in a manner that is consistent with the Bend Area General Plan.

Although set up as chapters, the whole Plan is inter-related to form a comprehensive approach to land use planning. No part of the Plan can be viewed without consideration of the other areas of the Plan. Through the ten chapters and related maps, the General Plan meets all the requirements of the 14 applicable planning goals in the state's land use laws and administrative rules.

Plan maps

The Plan text and policies describe several land use categories that provide for the various types of development expected to occur within the urban area during the 20-year planning period. These land use categories are graphically portrayed on the **General Plan Map**.

The major land use categories - residential, commercial, industrial, and mixed-use – have very specific boundaries that are shown on the General Plan Map. The city and county apply zoning to property based on the General Plan Map categories. Changing these boundaries requires a formal amendment to the General Plan.

Other land use categories - particularly for more discrete future uses such as schools, parks, and small commercial centers - are shown as a symbol on the General Plan Map. The purpose of the symbol is to show the general area where these uses are expected to occur, rather than a specific site. These symbols are “floating” designations that can be applied to a specific location at some future time through the zone change process.

The **Transportation System** is shown on a series of three maps that illustrate different parts of the urban area's multi-modal transportation system. The *Bend Urban Area Transportation Plan Map* shows the existing and future alignments for the arterial and collector street system. The *Bicycle and Trail System Map* shows the existing and future transportation and recreation designated routes within the urban area. Most of the bicycle routes are on arterial and collector streets, but other off-street trail routes are also shown. For a more detailed discussion of these maps see Chapter 7, *Transportation Systems*. The Transit System Map shows a feasible urban area transit route system. For a more detailed discussion of these maps see Chapter 7, *Transportation Systems*.

Also included in the Plan are other small maps that help to identify or better explain a topic discussed in the chapter. The Destination Resort map in the *Housing and Residential Lands* chapter, and the public parks map in the *Community Connections* chapter, are examples of these types of maps.



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Future Plan updates

The General Plan is a document that changes over time to reflect new information and new directions for the future. Amendments or additions to the General Plan text, exhibits, and policies go through a public hearing and review process before being adopted by the governing bodies. Changes and updates can be generated in at least six ways:

Regularly scheduled reviews and updates by the city and county. Every five years, beginning in the year 2000, the city and county will review the population growth, the housing mix and acreage needs, the industrial lands absorption, and the commercial lands absorption against the long-term forecasts in the General Plan. Other issues may also be evaluated during these regular views.

Preparation of more detailed refinement plans for neighborhoods or geographic areas. As provided for in Oregon land use law, the city or county may prepare more detailed land use and development plans for parts of the urban area that have large vacant or under-utilized parcels. Such refinement plans could address future street patterns and other utility systems, housing density and compatible uses, site and design standards, locations for parks, schools, and open space, and other land use issues.

Evaluation of land use topics required to be reviewed under the Oregon Land Conservation and Development Commissions periodic review of the General Plan. The state requires all local plans to be updated periodically to comply with applicable new state laws, administrative rules, or to incorporate new data available to the state.

Other state laws or legislative actions that require changes to the Plan outside of the normal periodic review cycle. The state legislature or the voter referendum/initiative process can require changes to local land use plans within a specific time period.

City or county response to new issues or changes. Issues that were unforeseen during the development of the plan can arise that have an impact on a particular neighborhood or the whole urban area. The city and county officials can direct staff to amend the Plan to address these issues.

Changes proposed by individuals or other agencies. A proposal by an individual, corporation, or public agency to change to the Plan text, land use map, other exhibits, or policies shall be considered as determined by the procedures ordinance. A person or agency proposing a change has the burden to demonstrate a public need and benefit for the change.

Chapter 1, *Plan Management and Citizen Involvement*, has more information on managing growth within the urban area, and how citizens can participate in planning for our community.

